



## Who are we?

The Health & Wellbeing Board is the forum where representatives of the Council, NHS and Third Sector hold discussions and make decisions on the health and wellbeing of the people of Brighton & Hove. Meetings are open to the public and everyone is welcome.

## Where and when is the Board meeting?

This Special meeting will be held in the Council Chamber, Portslade Town Hall on Thursday 6 February 2020, starting at 10.00am. It will last about one and a half hours.

There is limited public seating available for those who wish to observe the meeting. Board meetings are also available to view on the council's website.

## What is being discussed?

There is 1 main item on the agenda for this Special Meeting

- Commissioning of Supported Living Service for People with Cognitive Impairment (Acquired Brain Injury).  
The report is split into a public and a non-public item and the Board may need to move into a closed session to discuss aspects of the matter. Should this be the case, members of the public and press will be asked to leave the room for the duration of the discussion.



**Special Health & Wellbeing Board  
6 February 2020  
10.00am  
The Ronuk Hall,  
Portslade Town Hall**

Who is invited:

**B&HCC Members:** Moonan (Chair), Appich (Deputy Chair), Shanks (Opposition Spokesperson), Bagaeen (Group Spokesperson) and Nield

**CCG Members:** Dr Andrew Hodson (Deputy Chair), Lola BanJoko, Malcolm Dennett, Dr Jim Graham and Ashley Scarff

**Non-Voting Co-optees:** Geoff Raw (CE - BHCC), Deb Austin (Acting Statutory Director of Children's Services), Rob Persey (Statutory Director for Adult Care), Alistair Hill (Director of Public Health), Graham Bartlett (Safeguarding Adults Board), Chris Robson (Local Safeguarding Children Board) and David Liley (Healthwatch)

**Contact:** **Penny Jennings**  
Secretary to the Board  
Democratic Services Officer 01273 291065  
penny.jennings@brighton-hove.gov.uk

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*This Agenda and all accompanying reports are printed on recycled paper*



# AGENDA

Formal matters of procedure

This short formal part of the meeting is a statutory requirement of the Board

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## 51 DECLARATIONS OF SUBSTITUTES AND INTERESTS AND EXCLUSIONS

The Chair of the Board will formally ask if anyone is attending to represent another member, and if anyone has a personal and/or financial interest in anything being discussed at the meeting. The Board will then consider whether any of the discussions to be held need to be in private.

## 52 CHAIR'S COMMUNICATIONS

The Chair of the Board will start the meeting with a short update on recent developments on health and wellbeing.

## 53 FORMAL PUBLIC INVOLVEMENT

This is the part of the meeting when members of the public can formally ask questions of the Board or present a petition. These need to be notified to the Board in advance of the meeting Contact the Secretary to the Board at [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)

Note: As this is a Special meeting of the Board any questions have to relate to the agenda item listed for consideration.

## 54 FORMAL MEMBER INVOLVEMENT

## 55 COMMISSIONING OF SUPPORTED LIVING SERVICE FOR PEOPLE WITH COGNITIVE IMPAIRMENT (ACQUIRED BRAIN INJURY)

9 - 14

Report of the Executive Director for Health & Adult Social Care.

Contact: Anne Richardson-Locke

Tel: 01273 290379

Ward Affected: All Wards



## PART TWO

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**56 COMMISSIONING OF SUPPORTED LIVING SERVICE FOR PEOPLE WITH COGNITIVE IMPAIRMENT (ACQUIRED BRAIN INJURY) - EXEMPT CATEGORY 3 15 - 20**

Report of the Executive Director for Health & Adult Social Care (circulated to Members of the Board only).

*Contact: Anne Richardson-Locke Tel: 01273 290379*  
*Ward Affected: All Wards*

**57 PART TWO PROCEEDINGS**

To consider whether the item listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

**WEBCASTING NOTICE**

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date. Electronic agendas can also be accessed through our meetings app available through [www.moderngov.co.uk](http://www.moderngov.co.uk)

For further details and general enquiries about this meeting contact Democratic Services, 01273 2910656 or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)



## **Public Involvement**

The Health & Wellbeing Board actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.

If you wish to attend and have a mobility impairment or medical condition or medical condition that may require you to receive assisted escape in the event of a fire or other emergency, please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting. Measures may then be put into place to enable your attendance and to ensure your safe evacuation from the building.



Portslade Town Hall has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However, in the event of an emergency use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda below.

An infrared system operates to enhance sound for anyone wearing using a receiver which are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

## **Fire / Emergency Evacuation Procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

## 1. Procedural Business

**(a) Declaration of Substitutes:** Where Members of the Board are unable to attend a meeting, a designated substitute for that Member may attend, speak and vote in their place for that meeting.

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members of the Board should seek advice from the Lawyer or Secretary preferably before the meeting.

**(c) Exclusion of Press and Public:** The Board will consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, that the press and public should be excluded from the meeting when any of the items are under consideration.

**NOTE:** Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available from the Secretary to the Board.





Although a formal committee of Brighton & Hove City Council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults and Healthwatch.

<i>Title:</i>	<b>Commissioning of Supported Living Service for People with Cognitive Impairment (Acquired Brain Injury)</b>	
<i>Date of Meeting:</i>	<b>6 February 2020</b>	
<i>Report of:</i>	<b>Rob Persey, Executive Director of Health &amp; Social Care</b>	
<i>Contact:</i>	<b>Anne Richardson-Locke</b>	<b>Tel: 01273 290379</b>
<i>Email:</i>	<a href="mailto:anne.richardson-locke@brighton-hove.gov.uk">anne.richardson-locke@brighton-hove.gov.uk</a>	
<i>Wards Affected:</i>	<b>ALL</b>	

**FOR GENERAL RELEASE**

### ***Executive Summary***

The report provides an update on the procurement of a supported living service for adults with cognitive impairments in Brighton & Hove and makes a recommendation that an external provider is procured due to the specialist nature of the requirement.

There is a Part Two confidential report that has more detailed information of the preferred bid and the directly provided service which has been circulated to members of the Board.

## **Glossary of Terms**

*FCL* - *Families Children and Learning*

*HASC* - *Health & Adult Social Care*

*MEAT* - *Most economically advantageous tender is the tender which is best overall taking into consideration both price and quality over the lifetime of the contract.*

*PCR* - *Public Contracts Regulations*

*PIN* - *Prior Information Notice*

## **1. Decisions, recommendations and any options**

It is recommended that the Board agree:

- 1.1 To award a three-year contract to the Service Provider that has been evaluated as providing the most economically advantageous tender.
- 1.2 To grant delegated authority to the Executive Director of Health & Adult Social Care (HASC) to extend the contract at the end of the three-year term for a further period or periods of up to two years in total subject to satisfactory performance and available budget.

## **2. Relevant information**

### **Background**

- 2.1. The 12th November Health & Wellbeing Board gave permission to Health & Adult Social Care to procure a support service for 4 people with cognitive impairments placed by the Council in 4 flats in Poets Corner.
- 2.2. The Board agreed that:
  - 2.2.1. Commissioners would seek expressions of interest from external providers and if there was interest from more than one, a competitive tender process would take place, and;
  - 2.2.2. Commissioners would quantify the cost of the Council directly providing the required services.
- 2.3. The Board requested on the conclusion of these processes that a further report be prepared setting out the alternative options.
- 2.4. The current provider of the service, Southdown Housing Association, gave notice to the Council in July 2019 terminating their contract to provide a Supported Living Service. Colleagues in Families, Children & Learning (FCL)

have made alternative arrangements for 3 of the tenants and no longer have a need for the accommodation. FCL offered the opportunity to make use of the accommodation to Health & Adult Social Care (HASC). HASC have a significant shortage of supported living options for adults with cognitive impairments and these flats will help to prevent people from moving into residential care or provide a step down from higher support services for those who would benefit.

- 2.5. FCL Assessment Services have not been able to find alternative accommodation for one resident who continues to live there successfully, and Southdown Housing Association have agreed to continue to support that individual until an alternative support provider has been procured. FCL have confirmed they will continue to fund the support costs for the current resident.
- 2.6. The Health & Wellbeing Board agreed to accept this paper as a late report as the period between the end of the procurement exercise and the date of the nearest Board meeting did not allow for the usual pre-Board timescales. This was agreed in order to ensure delays in starting the service are kept to a minimum as the service is urgently needed and there is a financial cost to any delays as the Council are paying for voids in the flats according to the Nominations Agreement with the accommodation provider.

### **Proposed Service and Tender**

- 2.7. The Supported Living service will provide 24-hour support to 4 people with cognitive impairments that include learning disabilities, autism and cognitive impairments due to brain injury or other neurological conditions. It is intended that support services will be shared across all four flats. The procurement exercise was designed to enable officers to select from the providers submitting tender proposals the tender which provides the best service option overall in terms of both quality and price (MEAT).
- 2.8. As there were 8 expressions of interest to the Prior Information Notice (PIN) Call for Competition that was issued in the Official Journal of the European Union, all 8 were invited to tender.
- 2.9. Bids were evaluated by an evaluation panel made up of the Commissioning & Contracts Manager for Physical Disabilities & ABI, the Commissioning & Contracts Manager for Learning Disabilities, the Commissioning Support Officer and an experienced Social Worker.
- 2.10. Bids were evaluated with a weighting of 80% Quality and 20% Price, with Social Value making up 15% of the Quality mark. In view of the nature of the service commissioners considered it important to prioritise quality.
- 2.11. The preferred bidder's offer is still subject to award and the required standstill period of 10 working days in which the unsuccessful bidders have an opportunity to challenge the Authority's decision making.

- 2.12. The tendering process is confidential until completed and the Award letters dispatched to the bidders therefore Members are referred to the confidential part two report for further information relating to the outcome of the evaluation process

### **3. Reason for the recommendation**

- 3.1. The provision of the support directly by the Council at this time would strain available resources as additional staff, training, managerial expertise and specialist behaviour support would be necessary.
- 3.2. Whilst the Council directly provides high quality support to people with learning disabilities, the provision of additional management and specialist support for people with other cognitive impairments would be required and could delay the start of the provision of the service. This in turn would incur additional costs as the potential tenants would remain in higher cost services and would put considerable pressure on the current provider who has specified they can no longer provide the service to the existing tenant beyond April 2020.
- 3.3. The significant forecast savings presented within the preferred bid would not be achieved if the directly provided option is pursued.
- 3.4. It is therefore recommended that authority be given to let a service contract to the provider judged to provide the most economically advantageous tender following the detailed evaluation of the submissions received.
- 3.5. During the mobilisation period the new provider, Housing Association, the Commissioner and the Lead Member for Health & Adult Social Care would meet with the immediate neighbours to inform them of the changes.

### **4. Important considerations and implications**

#### **Legal implications:**

- 4.1. The Council's Contract Standing Orders require that authority to enter into a contract valued at £500,000 or more be obtained from the relevant committee which in this case is the Health and Wellbeing Board.
- 4.2. A tender process has been conducted in compliance with the provisions of the Public Contract Regulations 2015 as authorised by the Board on 12 November 2019. The most economically advantageous tender has been identified. Authority to let a contract following that tender process was not given by the Board on 12 November and is now required if the contract is to be let to the Provider submitting that tender. There is no obligation on the Council to award a Contract to the successful Provider and the service could be provided in-house if the Board considered this appropriate.

Lawyer consulted: Judith Fisher

Date: 20.01.2020

**Financial implications:**

- 4.3. There is significant increasing demand within this client cohort and securing this provision will result in financial savings when compared to the costs of residential care.
- 4.4. If the service is directly provided by the Council, it is estimated that no savings will be achieved for Adult Social Care, but savings would be realised through the preferred bidder's offer.
- 4.5. There is potential financial risk if there are any voids within the service due to the high rental costs.

Finance Officer consulted: Sophie Warburton Date: 23/01/2020

**Equalities implications:**

- 4.6. An EIA is underway to support the commissioning intentions for people under 65 requiring physical and social support. This has identified equalities issues that include younger people being placed in older people's care homes, people being placed out of city away from their families and networks and a need for specialist supported living for people with autism, cognitive impairments, physical disabilities and complex needs locally.
- 4.7. This service will have a significant impact on the above equalities issues by offering supported living locally to people who may otherwise have been placed in residential care with older people or placed out of city. The preferred Service Provider gave evidence that they provide inclusive services to people with cognitive impairments that include volunteering opportunities, routes to employment and involvement in the recruitment of staff.

**Sustainability implications:**

- 4.8. Procurement processes take into account the sustainability of potential providers in the City and the principles of social value in order to achieve best value for money and sustainability of services. The preferred Service Provider gave evidence of their aims to reduce wastage, limit energy consumption and procure materials from sustainable sources.

**Supporting documents and information**

None





Document is Restricted

